



**TO ALL COMMISSION MEMBERS, COOPERATING NON-MEMBERS,
PARTICIPATING TERRITORIES AND OBSERVERS**

**Circular No.: 2023/37
Date: 4 May 2023
No. pages: 03**

**Compliance Monitoring Scheme Intersessional Working Group – Following up on the
priority tasks to enhance the Compliance Monitoring Scheme in 2023**

Dear Colleagues,

As you will appreciate, considerable progress has been made to date in relation to the enhancement of the Compliance Monitoring Scheme, as required by paragraph 46 of CMM 2021-03 in particular, largely thanks to the hard work and dedication of the former TCC Vice Chair Ms. Emily Crigler, the lead on each work stream and the Secretariat, as well as many CCMs. At the outset, I would like to thank all those who have been involved in this important process for the valuable contribution and cooperation provided so far.

To keep up the momentum, the following are brief explanations on where we stand regarding each work stream and a request for views and comments on how to progress the remaining work in 2023 in line with the TCC work plan ([Attachment V of WCPFC19 Summary report](#)). As the Commission is going to discuss a number of very challenging issues including the revision of Tropical tuna CMM and the TCC is going to conduct CMR process for the 2021 and 2022 Reporting Years, it is crucial that CMS IWG makes as much progress as possible on the outstanding issues before TCC19.

1. Audit Points

WCPFC19 adopted 94 audit points (Attachment Q of the Summary report) which will be applied to the 2022 dCMR (covering 2021 reporting) and the 2023 dCMR (covering 2022 reporting) process this year. An [Audit Points Checklist](#) for proposed new or amended obligations was also endorsed.

WCPFC19 agreed to prioritize work on the outstanding 46 audit points in 2023. They are listed in the Annex B of [WCPFC19-2022-CMS_AP_rev1](#) ([available here](#)).

Since the former lead on this work, Ms. Rhea Moss-Christian, was appointed as Executive Director of WCPFC, a new lead is required to complete the work. Recently, Australia (Mr. Viv Fernandes, viv.FERNANDES@afma.gov.au) kindly indicated its willingness to take the role and it would be so decided unless CCMs have any different views or suggestions. Further information on this will be circulated in due course.

2. Risk Based Assessment Framework (RBAF)

TCC18 recommended the RBAF to the Commission. WCPFC19 expressed its sincere appreciation to the lead of this work, Ms. Heather Ward, for her hard work and endorsed it as a useful tool that CCMs may use to guide their consideration of future lists of obligations to review during the Compliance Monitoring Report Review. WCPFC19 endorsed RBAF may be accessed at <https://www.wcpfc.int/doc/wcpfc19-2022-cms-rbaf/risk-based-assessment-framework-compliance-monitoring-scheme-supporting-ms>

It is expected that the CCMs will make the most out of the RBAF and the enhanced CMM webpage (<https://cmm.wcpfc.int/>) as TCC carries out its CMS-related work in the future.

3. Corrective Actions

The lead on this work, Ms. Elizabeth O’Sullivan, commenced the work by circulating a draft terms of reference for the development of Corrective Actions on the 6 April 2023. This takes account of the requests from some CCMs at WCPFC19 that terms of reference be developed to ensure the scope of the work undertaken on corrective actions is clear.

FFA Members advised that it would be in a position to submit their comments on the draft TOR around the end of May, following consideration at the FFC meeting that will take place in May.

CCMs are encouraged to submit their comments as soon as possible and please consult the [Circular 2023/31](#) dated 6 April for further information and background of this work.

4. Aggregate tables review process

TCC Chair and the Secretariat are working together in accordance with **WCPFC19 Endorsed Approach for the process to review aggregate tables in 2023** ([Attachment S of WCPFC19 Summary report](#)). Further communications will be sent out on key areas in the following weeks.

5. Participation of observers

Substantial time and effort have been put into this work following the WCPFC13 meeting where the Commission agreed to develop guidelines to enable the participation of observers in closed meetings. Among others, there were discussions on the draft guidelines submitted by the United States of America in 2017 and 2019, and the former TCC Vice Chair and the Secretariat also prepared the working paper **TCC18-2022-12** which provided useful information and analyses on certain elements of Commission’s data rules and procedures pertaining to the issue of participation of observers in closed meetings.

During TCC18 and WCPFC19 meetings, a group of Members stated that there are imbalances and unfairness in the CMS, in particular in observer coverage between the purse seine and longline fisheries, and that they would be prepared to look at the observer participation issue again once the CMS is working as intended, i.e. when the imbalance is fixed. The group also suggested that the impact of the imbalance in information available to support the CMS is addressed in 2023 so that the outcomes can be used in the process of revising the CMS CMM.

WCPFC19 was not able to reach agreement on the development of guidelines for observer participation and the relevant part of the TCC work plan 2022-2024 also remains in square brackets.

6. Related outcomes and updates on tasks from WCPFC19

WCPFC19 endorsed some TCC18 recommendations related to addressing the information imbalance issue and to the Compliance Monitoring Scheme Future Work Components, as follows:

- i. TCC18 noted the imbalance between the information available for monitoring compliance between the longline and purse seine fisheries and which had also recommended that the Commission recognize the need to address this imbalance.
- ii. TCC18 noted that compliance with some obligations cannot be independently verified from available data sources. TCC18 recommended that WCPFC19 task the Secretariat to develop a paper, which identifies those obligations for which there is a lack of independently verifiable data, as well as potential sources of data that could provide independent verification of those obligations, for review by TCC19.
- iii. TCC18 recommended that the Commission prioritize the development of additional data collection mechanisms for some obligations to allow for more timely and verifiable data to feed into the CMR process. TCC18 noted in particular there is ongoing work related to ER&EM and transshipment reporting that will allow for more verifiable data to feed into the CMR process.

The Secretariat has confirmed that they have plans to progress work on the paper for TCC19 and further information on this will be circulated in due course.

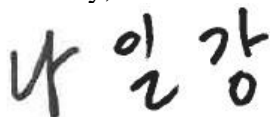
In addition, WCPFC19 tasked the Secretariat with upgrading the Conservation and Management Measures (CMMs) [webpage](#) on the WCPFC website to include additional information in support of the CMS. The Secretariat expects to complete an enhancement of the CMM webpage before mid-May (<https://cmm.wcpfc.int/>). This page is expected to include information on RBAF, Audit Points, Compliance History, and other relevant information in support of the dCMR. Relevant CCM limit information will also be available on this webpage.

Please submit any comments or questions on the proposed 2023 work for CMS-IWG **by close of business on Monday 29 May 2023 (Pohnpei time)**, if any, to the CMS IWG Chair at ikna@korea.kr (cc: Compliance Manager Lara.Manarangi-Trott@wcpfc.int).

Finally, as a reminder, the Secretariat continues to maintain a dedicated reference page for the CMS IWG to progress future work tasks which may be found at https://www.wcpfc.int/cms-iwg_2020.

I very much look forward to working with all of you.

Sincerely,



Ilkang Na
TCC Vice Chair & Chair of the CMS IWG